

REMARKS

Claims 1-21 remain pending in this application with claims 1-3, 6, 9, 13, 16 and 19 being amended by this Response.

Claims 2-11 and 13-21 have been indicated as allowable if rewritten in independent form including all the limitations of the base and any intervening claims. Claims 2, 3, 6, 9 have been rewritten in independent form including the limitations of claim 1 and thus, it is respectfully submitted that these claims are now in condition for allowance. Claims 4, 5, 7, 8, 10 and 11 are dependent on respective ones of these claims and thus are likewise allowable. Claims 13, 16 and 19 have been rewritten in independent form including the limitations of claim 12 and are thus, it is respectfully submitted that these claims are now in condition for allowance. Claims 14, 15, 17, 18, 20 and 21 are dependent on respective ones of these claims and thus, it is respectfully submitted that these claims are likewise allowable.

Claim 1 has been formally amended for clarity by restating that "the execution of the real-time display process being independent of the execution of the operating system". Support is already present in the existing claim 1.

**Rejection of Claims 1 and 12 under 35 U.S.C. 102(b)**

Claims 1 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Nafis et al. or Halpern et al.

The present claimed invention recites a method and system for concurrently displaying respective images representing real-time data and non-real-time data. The system includes a source of signals representing real-time data and a source of signals representing non-real-time data. A display device displays images. A processor is coupled to the real-time data source, the non- real-time data source and the display device. The

processor executes a windowing operating system controlling the operation of an application program for receiving non-real-time data and conditioning the display device to display an image representing the non-real-time data. The processor also executes a real-time display process, for receiving the real-time data and conditioning the display device to display an image representing the real-time data concurrently with the display of the non-real-time data. The execution of the real-time display process is independent of the execution of the operating system.

Neither Nafis et al. nor Halpern et al. disclose or suggest “that the execution of the real-time display process is independent of the execution of the operating system” as in the present claimed invention.

Nafis et al. disclose a computer graphic and live video system for enhancing the visualization of body structures during surgery. This system obtains real-time video images using a pair of video cameras and generates computer graphic images from model workstations. The video images and computer generated graphical images are provided to a video mixer wherein the images are combined for display (see page 7, line 16- page 8, line 24). This is unlike the present claimed invention in which “a processor...executing a windowing operating system controlling the operation of an application program for receiving non-real-time data and conditioning the display device to display an image representing the non-real-time data; and executing a real-time display process, for receiving the real-time data and conditioning the display device to display an image representing the real-time data concurrently with the display of the non-real-time data... in that the execution of the real-time display process is independent of the execution of the operating system”. In fact, the object of Nafis et al. is to coordinate the computer generated images with the live video images in order to allow a surgeon to view internal and external structures and the relation between them simultaneously. Such is not possible if the “execution of the real-time display process is independent of the execution of the operating system” as in the present claimed invention.

Halpern et al. discloses a patient monitoring system including at least one chassis, a plurality of patient care modules and a portable computer. This system is able to display both real-time and non-real-time data. However, in Halpern et al. "the portable computer's remote display applications are run on WINDOWS" (see column 9, lines 5-6). This is unlike the present claimed invention in which "a windowing operating system controlling the operation of an application program for receiving non-real-time data and conditioning the display device to display an image representing the non-real-time data; and executing a real-time display process, for receiving the real-time data and conditioning the display device to display an image representing the real-time data concurrently with the display of the non-real-time data; the system being characterized in that the processor is directly coupled to the real-time-data source, the non-real-time data source and the display device and in that the execution of the real-time display process is independent of the execution of the operating system." The advantage of the claimed arrangement utilizing the real-time processing system independent of the operating system is to substantially improve the speed of processing the real time data which is significant in patient monitoring and providing clinicians with substantially immediate updates of real time values (see Page 12, lines 8-15). Furthermore, the separation of executable handling of the non-real-time data and real-time data provides robustness to the system. There are two separate message queues maintained by the operating system. If one queue becomes blocked, the other will still operate (see page 11, line 29-page 12, line 2). Such is critical in a patient care environment whereby if the non-real-time data is blocked, the real-time data used in patient care can still be monitored by the clinician and thus the patient can be adequately monitored. This specific advantage has not been addressed or recognized by any of the cited references alone or in combination and none of these references has provided any motivation or reason for incorporating the claimed features.

In view of the above remarks and amendments to the claims, it is respectfully submitted that the present invention as claimed in claims 1 and 12 is not anticipated by either Nafis et al. or Halpern et al. Thus, it is further respectfully submitted that this rejection is satisfied and should be withdrawn.

Since the present claim arrangements are not taught by the cited art either taken alone or in combination, this response is believed to place this case in condition for allowance and the Examiner is respectfully requested to reconsider the matter, and to allow all of the claims in this case.

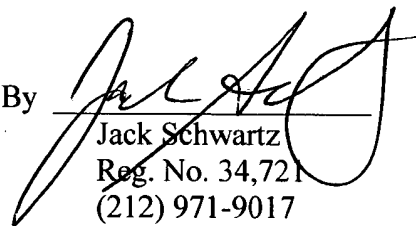
Should the Examiner feel that anything further is necessary to place this application in condition for allowance he is respectfully requested to contact applicants attorney at the telephone number listed below.

Please charge the fee of \$516.00 for six (6) independent claims above the allowed limit of three (3) to Deposit Account 50-2828.

No additional fee is believed due with this response. However, if an additional fee is due, please charge the fee to Deposit Account 50-2828.

Respectfully submitted,  
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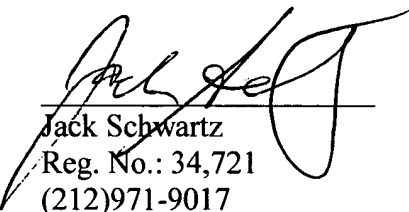
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